

REMARKS

Claim 1 has been amended to recite subject matter of Claim 2 and to more clearly define the printed pattern having portions void of pigment as shown, for example, in Fig. 2 of the specification. Claims 2 and 3 have been canceled. Upon entry of this Amendment, which is respectfully requested, Claims 1 and 6-15 will be pending.

Statement of Substance of Interview

Applicants thank the Examiner for the courtesy of granting the telephone Interview of July 15, 2009, wherein the following issues were discussed:

(A) Applicants' representatives proposed an amendment to Claim 2 to recite a printed pattern having parts void of pigment [void parts]. The Examiner indicated that the proposed amendment appeared to overcome the rejection under § 112. The Examiner further pointed out that the claim language, as amended, needs to be consistent throughout the claims.

(B) Regarding Claim 1, Applicants' representatives reviewed Oshima and Tucker with the Examiner and presented arguments that one skilled in the art would not be motivated to combine the subject references.

(C) Regarding Claim 2, Applicants' representative presented arguments that the presently claimed printed pattern is structurally distinct from that of Scott.

Other than the rejection under §112, no agreement was reached.

Response to Claim Rejection Under § 112

(I) Claim 2 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

As noted, Claim 2 has been canceled. In addition, present Claim 1 has been amended to recite the subject matter of Claim 2 and to more clearly define the subject matter which

Applicants regard as the invention, thereby meeting all of the requirements of § 112.

Accordingly, withdrawal of the rejection is respectfully requested.

Response to Claim Rejections Under § 103

(I) Claims 1, 3, 6, 11, 14 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,834,247 to Oshima et al and further in view of U.S. Patent Application Publication No. 2003/0155354 to Tucker. Applicants respectfully traverse.

Claim 1 has been amended to incorporate the subject matter of Claim 2, which is not included in the present rejection. Thus, Oshima and Tucker fail to render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

(II) Claims 2, 7 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Oshima in view of Tucker as applied to Claim 1 above and further in view of U.S. Patent No. 4,640,838 to Isakson et al and further in view of U.S. Patent No. 6,428,867 to Scott et al.

(a) Regarding Claims 7 and 8, Claims 7 and 8 are patentable at least by virtue of their dependence from Claim 1. Accordingly, withdrawal of that portion of the rejection pertaining to Claims 7 and 8 is respectfully requested.

(b) Regarding Claim 2, as noted, Claim 2 has been canceled.

In addition, present Claim 1, which has been amended to recite the subject matter of Claim 2 and to more clearly define the subject matter which Applicants regard as the invention. In this regard, present Claim 1 is directed to a packaging container for a microwave oven, wherein the packaging container comprises a vapor release seal part having a mark developing means which is constituted by providing a vapor release seal part of one plastic film constituting the packaging container with a printing layer having a printed pattern having parts void of pigment and by providing a vapor release seal part of the other plastic film constituting the

packaging container with a printing layer having a printed pattern having pigment parts corresponding to the parts void of pigment of the one plastic film and void of pigment outside of the pigment parts. *See*, Fig. 2 of the present specification.

In contrast, Fig. 7 of Scott shows a blanket second ink layer 50 and ink parts 48 (first ink layer) sandwiched between the base 28 and the adhesive layer 41. When the label flap 18 is pulled from the package body 12, the areas 54 of the second ink layer 50 applied over the first ink layer 48 separate from the first ink layer 48 and remain adhered to the top layer 30 of the label flap 18, whereas areas 52 of the second ink layer 50 bond to the base layer 28 (Fig. 8 and Col. 7, lines 49-67). Both Figs. 7 and 8 of Scott always show a blanket ink layer on one or both of top layer 30 and base layer 28, which is structurally distinct from the presently claimed mark developing means.

Even if one skilled in the art were motivated to modify modified Oshima, the presently claimed invention would not be obtained. That is, the asserted combination does not meet the limitation of Claim 1 which requires one plastic film constituting the packaging container with a printing layer having a printed pattern having parts void of pigment and a vapor release seal part of the other plastic film constituting the packaging container with a printing layer having a printed pattern having pigment parts corresponding to the parts void of pigment of the one plastic film and void of pigment outside of the pigment parts. Accordingly, withdrawal of that portion of the rejection related to Claim 2 is respectfully requested.

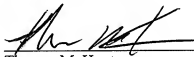
(III) Claims 9, 10, 12 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Oshima in view of Tucker as applied to Claims 1 and 11 above, and further in view of GB 2,358,175 to Sato.

The above rejection is obviated by the amendment to Claim 1 to incorporate therein the recitation of Claim 2. Withdrawal of the rejection is requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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